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SENATE

{ REPORT  
105-399

### U.S. ROUTE 66

OCTOBER 9 (legislative day, OCTOBER 2), 1998.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

### REPORT

[To accompany S. 2133]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2133) to designate former United States Route 66 as “America’s Main Street” and authorize the Secretary of the Interior to provide assistance, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. DEFINITIONS.

In this Act:

(1) ROUTE 66.—The term “Route 66” means—

(A) portions of the highway formerly designated as United States Route 66 that remains in existence as of the date of enactment of this Act; and

(B) public and private land in the vicinity of the highway.

(2) CULTURAL RESOURCE PROGRAMS.—The term “Cultural Resource Programs” means the programs established and administered by the National Park Service for the benefit of and in support of cultural resources related to Route 66, either directly or indirectly.

(3) PRESERVATION OF ROUTE 66.—The term “preservation of Route 66” means the preservation or restoration of portions of the highway, businesses and sites of interest and other contributing resources along the highway commemorating Route 66 during its period of outstanding historic significance (principally between 1933 and 1970), as defined by the July 1995 National Park Service “Special Resource Study of Route 66.”

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Cultural Resource Programs at the National Park Service.

(5) STATE.—The term ‘State’ means a State in which a portion of Route 66 is located.

#### SEC. 2. DESIGNATION.

Route 66 is designated as “Route 66 National Historic Highway”.

**SEC. 3. MANAGEMENT.**

(a) **IN GENERAL.**—The Secretary, in collaboration with the entities described in subsection (c), shall facilitate the development of guidelines and a program of technical assistance and grants that will set priorities for the preservation of Route 66.

(b) **DESIGNATION OF OFFICIALS.**—The Secretary shall designate officials of the National Park Service stationed at locations convenient to the States to perform the functions of the Cultural Resource Programs under this Act.

(c) **GENERAL FUNCTIONS.**—The Secretary shall—

(1) support efforts of State and local public and private persons, nonprofit Route 66 preservation entities, Indian Tribes, State Historic Preservation Offices, and entities in the States to preserve Route 66 by providing technical assistance, participating in cost-sharing programs, and making grants;

(2) act as a clearinghouse for communication among Federal, State, and local agencies, nonprofit Route 66 preservation entities, Indian Tribes, State Historic Preservation Offices, and private persons and entities interested in the preservation of Route 66; and

(3) assist the States in determining the appropriate form of and establishing and supporting a non-Federal entity or entities to perform the functions of the Cultural Resource Programs after those programs are terminated.

(d) **AUTHORITIES.**—In carrying out this Act, the Secretary may—

(1) collaborate with the Secretary of Transportation to:

(A) address transportation factors they may conflict with preservation efforts in such a way as to ensure ongoing preservation, interpretation and management of route 66 National Historic Highway; and

(B) take advantage, to the maximum extent possible, of existing programs, such as the Scenic Byways program under Section 162 of title 23, United States Code.

(2) enter into cooperative agreements, including, but not limited to study, planning, preservation, rehabilitation and restoration;

(3) accept donations;

(4) provide cost-share grants and information;

(5) provide technical assistance in historic preservation; and

(6) conduct research.

(e) **ROAD SIGNS.**—The Secretary may sponsor a road sign program on route 66 to be implemented on a cost-sharing basis with State and local organizations.

(f) **PRESERVATION ASSISTANCE.**—

(1) **IN GENERAL.**—The Secretary shall provide assistance in the preservation of Route 66 in a manner that is compatible with the idiosyncratic nature of the highway.

(2) **PLANNING.**—The Secretary shall not prepare or require preparation of an overall management plan for Route 66, but shall cooperate with the States and local public and private persons and entities, State Historic Preservation Offices, nonprofit Route 66 preservation entities, and Indian Tribes in developing local preservation plans to guide efforts to protect the most important or representative resources of Route 66.

**SEC. 4. RESOURCE TREATMENT.**

(a) **TECHNICAL ASSISTANCE PROGRAM.**—

(1) **IN GENERAL.**—The Secretary shall develop a program of technical assistance in the preservation of Route 66.

(2) **GUIDELINES FOR PRESERVATION NEEDS.**—

(A) **IN GENERAL.**—As part of the program under paragraph (1), the Secretary shall establish guidelines for setting priorities for preservation needs.

(B) **BASIS.**—The guidelines under subparagraph (A) may be based on national register standards, modified as appropriate to meet the needs of Route 66 so as to allow for the preservation of Route 66.

(b) **PROGRAM FOR COORDINATION OF ACTIVITIES.**—

(1) **IN GENERAL.**—The Secretary shall coordinate a program of historic research, curation, preservation strategies, and the collection of oral and video histories of Route 66.

(2) **DESIGN.**—The program under paragraph (1) shall be designed for continuing use and implementation by other organizations after the Cultural Resource Programs are terminated.

(c) **GRANTS.**—The Secretary shall—

(1) make cost-share grants for preservation of Route 66 available for resources that meet the guidelines under subsection (a); and

(2) provide information about existing cost-share opportunities.

#### SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated 10,000,000 for the period of fiscal years 2000 through 2009 to carry out the purposes of this Act.

#### PURPOSE OF THE MEASURE

The purpose of S. 2133, as ordered reported, is to designate former United States Route 66 as "Route 66 National Historic Highway"; to authorize the Secretary of the Interior to establish a cultural resource program in support of cultural resources related to Route 66; provide technical assistance to State, local and private persons; participate in cost sharing programs; and administer a grant program.

#### BACKGROUND AND NEED

U.S. Highway 66, popularly known as "Route 66," is significant as the nation's first highway linking Chicago with Los Angeles. In its day, Route 66 symbolized freedom and mobility for every citizen who could afford to own and operate a car.

Beginning at the corner of Jackson Boulevard and Michigan Avenue in Chicago, Route 66 wound 2,400 miles to Santa Monica, California. Route 66 linked the rural West to the densely populated urban Midwest and Northeast. Gas stations, motels, restaurants, and grocery stores were built along the route to service an increasingly mobile public. Route 66's period of greatest historical significance was between 1933 and 1970.

Congress authorized a Special Resource Study (Public Law 102-400), for Route 66 in 1990. The study was completed in July 1995. The study found that Route 66 is nationally significant and that representative structures, features, and artifacts remain along the historic route, although remnants of the road are quickly disappearing.

The study identified five alternatives. This legislation closely depicts alternative five. Under this alternative, Route 66 will be designated as a national historic highway. Partnerships between the Federal Government and local organizations will be established to preserve historic resources along Route 66. The National Park Service will provide technical assistance, participate in cost sharing programs, and administer a grant program.

#### LEGISLATIVE HISTORY

S. 2133 was introduced on June 4, 1998 by Senator Domenici and Senator Bingaman and referred to the Committee on Energy and Natural Resources. The Subcommittee on National Parks, Historic Preservation, and Recreation held a hearing on S. 2133 on September 17, 1998.

At its business meeting on September 24, 1998, the Committee on Energy and Natural Resources ordered S. 2133, favorably reported, as amended.

#### COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resource, in open business session on September 24, 1998, by a unanimous voice vote of a quorum present, recommends that the Senate pass S. 2133, if amended as described herein.

## COMMITTEE AMENDMENT

During the consideration of S. 2133, the Committee adopted an amendment in the nature of a substitute. The amendment designates former United States Route 66 as “Route 66 National Historic Highway”.

In addition, the amendment provides that the Secretary shall establish cultural resource programs to support efforts by State, local, public and private persons, Indian Tribes, and State Historic Preservation Offices to preserve Route 66. The Secretary, in collaboration with other entities, is to establish guidelines for setting priority preservation needs, provide technical assistance, participate in cost sharing programs, make grants, and act as a clearinghouse for communication between parties interested in the preservation of Route 66.

Officials of the National Park Service stationed at locations convenient to the States are to perform the functions of the cultural resource programs until a non-Federal entity is established to perform those duties.

The Secretary is directed to coordinate with the Secretary of Transportation to address transportation factors that may conflict with the preservation of Route 66 and take advantage of existing programs such as the Scenic Byways program. In addition, the Secretary will sponsor a road sign program on Route 66 to be implemented on a cost-sharing basis with State, local, and private organizations.

## SECTION-BY-SECTION ANALYSIS

*Section 1* defines certain key terms in the Act.

*Section 2* designates the bill’s short title as “Route 66 National Historic Highway”.

*Section 3* directs the Secretary, in collaboration with other entities, to facilitate the development of guidelines and a program of technical assistance and grants that will set priorities for the Preservation of Route 66. The Secretary will identify individuals of the National Park Service to perform the functions of the Cultural Resource Programs.

*Section 3* states that the Secretary will support efforts by State, local, public and private persons, Indian Tribes, and State Historic Preservation Offices to preserve Route 66 by providing technical assistance, participating in cost sharing programs, making grants, and act as a clearinghouse for communication among Federal, State, and local agencies, and private persons interested in preservation of Route 66. The Secretary will assist the States in establishing a non-Federal entity to perform the functions of the Cultural Resource Program after Federal involvement is terminated.

This section states that the Secretary may coordinate with the Secretary of Transportation to address transportation factors that may conflict with the preservation of Route 66 and take advantage of existing programs such as the Scenic Byways program. This section also provides that the Secretary may enter into cooperative agreements, accept donations, provide cost-share grants, provide technical assistance in historic preservation, and conduct research.

In addition, this section states that the Secretary shall sponsor a road sign program along Route 66 to be implemented on a cost-sharing basis with State and local organizations. The Secretary is required to provide assistance in the preservation of Route 66 in a manner that is compatible with the characteristic nature of the highway. This section directs the Secretary to coordinate with the States, local and private persons and entities, and Indian Tribes in developing local preservation plans to protect the resources of Route 66.

*Section 4* states that the Secretary shall develop a technical assistance program for the preservation of Route 66. Guidelines will be established to set priority preservation needs that may be based on national register standards, modified to meet the needs of Route 66 preservation. Under this section, the Secretary will coordinate a program of research, curation, and the collection of oral and video histories of Route 66, and administer cost-share grants for resources that meet the guidelines established under this act.

*Section 5* authorizes the appropriation of \$10,000,000 for the years 2000 through 2009 to carry out this Act.

#### COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office estimate of the cost of this measure has been requested but was not received at the time the report was filed. When the report is available, the Chairman will request it to be printed in the Congressional Record for the advise of the Senate.

#### REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2133. The bill is not a regulatory measure in the sense of imposing Government-established standards of significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from enactment of S. 2133, as ordered reported.

#### EXECUTIVE COMMUNICATIONS

On September 3, 1998, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on S. 2133. These reports had not been received at the time the report on S. 2133 was filed. When these reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony of the Department of the Interior at the Subcommittee hearing follows:

STATEMENT OF DESTRY JARVIS, ASSISTANT DIRECTOR, EXTERNAL AFFAIRS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you to address S. 2133, a bill to designate U.S. Route 66 as "America's Mainstreet" and to authorize the Secretary of the Interior to provide assistance in preservation and other activities. We support the intention of this legislation to recognize Route 66 and thank Senator Domenici and Senator Bingaman for sponsoring it. We recommend, however, that the Committee defer action on this bill until we have been able to address our concerns outlined below and consider other alternatives that may be more appropriate.

The bill is based upon one of the conceptual alternative strategies (Alternative 5) identified in the July 1995 National Park Service Special Resources Study of Route 66. The Route 66 Study Act (Public Law 102-400) directed the Secretary of the Interior, to coordinate with the respective states, the state historic preservation offices, representatives of groups interested in the preservation of Route 66 and its features, and other knowledgeable persons in preparation of the study. The study was to determine the significance of Route 66 in American history and to provide options for preservation and use of remaining segments of Route 66. The study also identified options for preservation and interpretation of significant features related to the highway, and considered private sector preservation alternatives. The study, however, did not propose using limited National Park Service (NPS) funds to provide grants for non-federal activities outside of park boundaries.

S. 2133 would establish an "Office for the Preservation of America's Mainstreet" by the Secretary of the Interior. The office and its activities would terminate 10 years after the bill's enactment. The office would provide technical assistance; make grants and loans; and would serve as a clearinghouse for communication between agencies, organizations, and individuals with interest in Route 66 preservation. The bill would permit the office to enter into cooperative agreements, to accept donations, to provide technical assistance in historic preservation and fundraising, to conduct research, and to sponsor a road sign program on a cost-share basis with state and local organizations. The bill would direct the preservation office to provide assistance compatible with the idiosyncratic nature of the highway and to cooperate with others to develop local preservation plans.

S. 2133 would direct the preservation office to establish guidelines for setting preservation priorities, which might be based on the National Register of Historic Places standards, modified to preserve the spirit of Route 66. Lastly, the bill would direct the preservation office to coordinate a program of historic research, curation, preservation

strategies, and the collection of oral and video histories of Route 66.

The National Park Service believes that S. 2133 captures in broad terms many of the special resource study's findings and focuses on the cooperative partnership aspects of Alternative 5. The study has documented that Route 66 is nationally significant with respect to twentieth century history.

The spread of population west is one of the primary themes in the history of this nation. The first great migration trails, Oregon, California and Santa Fe, allowed American citizens to move west with the promise of free land and economic opportunity. A century later, those rut-filled corridors yielded to the smooth and fast highways we now enjoy. Foremost among those early highways was U.S. Highway 66.

It first captured the imagination and became a symbol for many changes in twentieth century America, beginning with the Dust Bowl migration to California. Immortalized in song, book and film, Route 66 helped Americans recover from the Depression, moved war supplies, opened up the Southwestern landscape to tourism and post-war migration of families to the dynamic job market of California.

A trip down Route 66 was an adventure through mainstream America. Its route was colorfully accentuated by locally owned mom and pop motels and restaurants, garish souvenir shops and novel roadside entertainment activities, all competing for business with distinctive advertising and architectural motifs designed to capture interest.

Ironically Route 66's demise was due to its success. Americans became increasingly mobile in the "baby boom era." This two-lane roadway simply could not handle the ever-growing volume of truck and vehicle traffic. The interstate highway system became the new and improved way to travel across the nation. By 1985, the route was so fragmented and confusing that it lost its official U.S. Highway 66 designation. Today, portions of it are incorporated in state and local highway systems. Despite its official demise, it has remained part of the landscape and in the minds of many Americans who traveled on its path.

The Administration has a number of concerns about the proposed bill and several technical recommendations to clarify and enhance the bill's intents. These center on:

- the long-term national stature and protection afforded by the designation of Route 66 as "America's Mainstreet,"

- the unlimited availability of NPS funds to provide grants for non-federal activities outside park boundaries,

- the lack of a specific identified role by the State Historic Preservation Offices in the planning and preservation efforts,

- the inappropriate authority to make loans,

the need to identify a defined historic period to focus preservation efforts,

the need to provide for coordination with the Secretary of Transportation and state transportation agencies to ensure that transportation programs are effectively used and safety for users is addressed,

the establishment of a separate National Park Service office, instead of using existing resources, and the need to clarify functional purposes.

To promote public awareness, appreciation, incentives for preservation and to avoid confusion with other programs and roads we believe that Route 66 should have a more prestigious title that reflects its true historic significance and would distinguish this from other programs. It should be recognized that there are ongoing efforts to coordinate between the National Scenic Byways Program under the Department of Transportation, land management agencies, and state agencies to effectively address Route 66, especially in New Mexico and Arizona. We believe, therefore, the planning emphasis would be more effective if the state historic preservation offices and the state transportation offices jointly led the development of state-wide Route 66 preservation plans, building in local plans as appropriate so that all plans meet the criteria set by the Secretary of the Interior.

We also believe that the bill should set parameters on the historic period so that only the most important and relevant historic resources are eligible for preservation assistance. For the long-term safety of users of Route 66 as well as continued preservation efforts, the Secretaries of Interior and Transportation should be directed to work together to develop practical methods for preserving and managing the highway. Coordination with the Department of Transportation should also address opportunities for building on existing transportation programs.

And finally there are other functions that the federal preservation office should perform, including interpretive planning assistance to grassroots organizations. The Administration, however, opposes giving loan authority to an organization without lending experience or need and without reference to Credit Reform Act requirements. The Administration also has concerns with the unlimited authority to allocate NPS funds for grants for non-federal activities outside of park boundaries. Given funding limitations and existing park needs, NPS contributions should be limited to technical and preservation assistance.

Route 66 was not America's first or longest highway. Nevertheless, this road appeared on the American scene at the very moment economic disaster and complete global conflict influenced the most comprehensive westward migration in the nation's history. Like the early trails of the 19th century. Route 66 helped to spirit a second and perhaps more permanent mass relocation of Americans.



We appreciate the committee's interest in the legislation, and look forward to working with you on our proposed recommendations. That concludes my remarks Mr. Chairman and members of the committee. I would be happy to respond to any questions that you may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the S. 2133, as ordered reported.

